

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
v.)	2:17cr24-MHT
)	(WO)
LAVARIS DEANDRE YOUNGBLOOD)	

ORDER

At the sentencing hearing before the court on March 1, 2018, the parties had a dispute over whether, in their plea agreement, defendant Lavaris DeAndre Youngblood agreed to a Guideline sentence (that is, waived his right to request a variance). Because the record did not include a transcript of the plea hearing, the court could not tell what occurred at that hearing (including what the parties stated on the record as to their understanding of the plea agreement and what the magistrate judge told Youngblood about the agreement). Also, the government attorney and the attorney representing Youngblood were not the same attorneys present at the plea hearing. Accordingly, the court believes that the issues of whether the

parties have a binding plea agreement and, if so, what it is and perhaps whether Youngblood should be allowed to withdraw from it need to be resolved.

It is, therefore, ORDERED as follows:

(1) Sentencing is continued to April 12, 2018, at 10:00 a.m., in the Frank M. Johnson Jr. United States Courthouse Complex, Courtroom 2FMJ, One Church Street, Montgomery, Alabama.

(2) This case is, in the meantime, referred back to the magistrate judge to determine (a) whether the parties have a binding plea agreement and (b), if so, what it is and perhaps whether defendant Lavaris DeAndre Youngblood should be allowed to withdraw from it.

DONE, this the 1st day of March, 2018.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE